

Klink  
Largent  
Lazio  
McCollum  
McIntosh

Meehan  
Miller (FL)  
Neal  
Shuster  
Talent

Waxman  
Weygand  
Wise

1252

Mr. MARKEY changed his vote from "yea" to "nay."

Messrs. BARRETT of Wisconsin, DELAHUNT and TIERNEY changed their vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CANNON. Mr. Speaker, I was unfortunately delayed away from the Capitol during the vote on the Defense Authorization legislation, H.R. 4205. However, had I been here, I would have voted "yea."

#### GENERAL LEAVE

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4265.

The SPEAKER pro tempore (Mr. COOKSEY). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

#### ENERGY AND WATER REDEVELOPMENT APPROPRIATIONS ACT, 2001—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore. The unfinished business is the further consideration of the veto message of the President of the United States on the bill (H.R. 4733) making appropriations for energy and water development for the fiscal year ending September 30, 2001, and for other purposes.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

(For veto message, see proceedings of the House of October 10, 2000, at page H9575).

The SPEAKER pro tempore. The gentleman from California (Mr. PACKARD) is recognized for 1 hour.

#### GENERAL LEAVE

Mr. PACKARD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I may include tabular and extraneous material on the veto message of the President of the United States to the bill, H.R. 4733.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PACKARD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I yield the customary 30 minutes to the gentleman from Indiana

(Mr. VISCLOSKEY) for purposes of debate only.

Mr. Speaker, I rise to urge my colleagues in the strongest possible terms to override the President's unfortunate veto of the Fiscal Year 2001 Energy and Water Development Appropriations Act.

Of all the appropriations bills, this is one of the most bipartisan. The conference agreement that we presented to the House 2 weeks ago is fair and balanced.

Through the programs of the Corps of Engineers and the Bureau of Reclamation, we have provided funds to maintain and rebuild our critical water resources infrastructure and protect millions of citizens who are currently vulnerable to the devastating effects of floods.

Funds that we have provided through this bill for the Department of Energy will help to strengthen our national defense, increase our scientific knowledge, and help us to become more energy independent.

In spite of all the good things in this bill, the President has legislated to veto it over a single provision included by the Senate. The administration asserts that this provision would undermine implementation of the Endangered Species Act. That is simply incorrect.

Under the provisions of section 103, all alternatives for protecting endangered species on the Missouri River, including a spring rise in river levels, can continue to be studied and only a revision in the Master Water Control Manual that results from spring rise is prevented from being implemented in fiscal year 2001.

I wish to significantly note that the Corps of Engineers has confirmed that it will not be prepared to implement a revised Water Control Manual for the Missouri River until the spring of 2003 due to the time it will take to comply with the provisions of the National Environmental Policy. Therefore, this issue really is not an issue. It cannot be implemented before the bill would address in terms of the time limits.

On October 2, the President issued a statement in which he said that this provision would "establish a dangerous precedent aimed at barring a Federal agency from obeying one of our Nation's landmark environmental statutes."

If the President truly believes that today, then why did he not believe it four other times when he signed this very provision into law?

We have done our very best on this bill to accommodate the priorities of all Members of Congress, including the Democrats and Republicans equally and the administration, as well.

Almost 2 weeks ago, we approved a conference agreement by a vote of 301-118. I was disappointed at that time that a number of Members who had come to us for assistance and whose wishes we did accommodate in the bill voted against passage of the conference

report. Some who voted against the conference report may have had their concerns addressed in other bills.

Specifically, the Interior Appropriations Conference Report, which now sits on the President's desk and he will likely sign it I am told, included \$8 million for the Northeast Home Heating Reserve Issue.

1300

I am sure that that was part of the reason that some voted against the conference report on this bill. I expect that all the Members who voted in favor of the bill two weeks ago will do so again today and encourage all those Members who voted no last week to reconsider that decision. I sincerely hope that we do not have to reopen this bill at this point and possibly reconsider items that have already been agreed to.

I truly believe that a wise use of the taxpayers money is rebuilding America's infrastructure. It is spending their tax dollars to improve their quality of life. It is a very good expenditure of funds. And so our conservative Members who feel that we have spent too much in this bill I hope will recognize that this is spending money in their districts, improving the quality of life of their citizens. It is not in the best interest of our Nation to hold up this important piece of legislation over a single provision. Therefore, I ask all Members to vote to override the President's unfortunate veto of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. VISCLOSKEY. Mr. Speaker, I yield myself such time as I may consume.

I join my colleague, the gentleman from California, in asking all of my colleagues on both sides of the aisle to vote to override the President's veto of H.R. 4733, the Energy and Water Appropriation Act for the year 2001. The chairman eloquently addressed the primary controversy that is engaged in this legislation and that is the Army Corps manual and regulations dealing with water flow on the Missouri River. I would join in his observations.

First of all, that the President in 4 previous years has signed legislation with similar language. Secondly, as far as the issue that is of complaint to the President, it will not come to fruition for another 2 fiscal years, so I do not think it would be appropriate to veto this legislation based on that one provision, given the good work the chairman and the committee has done on the bill.

The President also mentioned, however, three other items in his veto message, and I would like for a moment to address each of his concerns. The President indicated he is upset that we had not set aside enough funds for renewable and solar energy. I would point out to the Members that for the current fiscal year 2000, we appropriated and the administration will spend \$362 million for these programs. The conference report that was approved by

the House and Senate and sent to the President approved for this coming fiscal year \$422 million for these programs, a \$60 million increase.

The President also had concerns relative to expenditures for the Florida Everglades. The fact is that this legislation contains \$20 million in construction funds for the Everglades, the exact dollar figure in the President's budget. What the President wanted to do is to add additional expenditures that had not yet been authorized, and we have been very diligent in ensuring that unauthorized programs not enter into the legislation.

Finally, the President has complained that \$20 million was not set aside for the so-called Bay-Delta CAL-FED program. In past years, we have appropriated up to \$60 million for this important program; and the chairman, during the debate and discussion we had on the floor on the conference report, indicated it was his desire to set aside those \$20 million if again we had authorization to do so. A compromise to date has not yet been struck. We lack the authorization and, therefore, the chairman, I think wisely, although I know it was a very tough and painful decision for him, decided not to include those moneys in the bill, and I think it is an eminently justifiable position.

Mr. Speaker, I would suggest for these reasons and those propounded by the chairman of the subcommittee that all of the Members of this institution vote to override the President's veto.

Mr. Speaker, I reserve the balance of my time.

Mr. PACKARD. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM), a member of the subcommittee on appropriations.

Mr. LATHAM. I thank the gentleman very much for yielding me this time.

Mr. Speaker, I would just first of all like to say this is extraordinarily unfortunate for the people in Iowa, Nebraska, Missouri, everyone in the lower Mississippi delta that the President vetoed this bill over the use of the Missouri River. This is an extraordinarily important issue. It goes to saving lives of people who live along the Missouri River, to saving their property. It goes to how much energy, how much electric power is available during the peak season in the summer coming out of the dams upstream. It has to do with usage on the river as far as navigation which they want to dry up the river basically in the summertime. We have a very important issue with recreation in Sioux City, Iowa, using the marina.

Mr. Speaker, I will submit a letter from the bipartisan city council of Sioux City in opposition to the President's position. I think this is an issue which is not a partisan issue. This is simply wrong. The President has signed four previous bills that had this provision in it that today he says he vetoes the bill for, and you wonder why. It has to go, I believe, to an extreme environmental position. I think with the Presidential election coming

up and the Vice President taking an extreme position here, I think Iowans and people in Nebraska and Missouri should really take a look at who is favoring a radical group over the lives and property of people who live along the river and the very well-being of those people.

Mr. Speaker, I think it is very unfortunate if we have to reopen this bill to find other moneys for some of the priorities the President looked at that we are going to have to look in the bill. We are not going to have new money. We have to look in the bill to find out people, projects, things like that if we are going to fund the new initiatives, also.

Mr. Speaker, I rise in support of the override of this very unfortunate and misguided veto.

Mr. Speaker, I include the following letter for the RECORD:

OFFICE OF THE CITY COUNCIL,  
Sioux City, IA, October 3, 2000.

U.S. Representative TOM LATHAM,  
Cannon House Office Building,  
Washington, DC.

DEAR REPRESENTATIVE LATHAM: One of the issues that we understand you are addressing is the management of the Missouri River. First, we would like to thank you for your previous votes on this issue on behalf of Sioux City and Iowa. We appreciate very much your support and understanding in this issue. What still needs consideration and study is how those changes to the current management may affect Iowans and the downstream states affected by those changes. We thank you for the time and attention you are giving to this matter.

There should be a broader perspective on the issue at stake than just recreation versus navigation. Policies developed with much deliberation for over four decades such as this should be approached very carefully. There are industries such as downstream recreation, hydropower generation, agriculture, transportation, and navigation that would be dramatically affected by the plan to implement a spring rise in the spring with correlating low flows during late summer and early fall. There are also issues such as flood control for cities, counties, and farmland along the Missouri River that have not yet been sufficiently studied to assess potential damage and economic impact.

Downstream Recreation.—The Sioux City Riverfront Master Plan calls for \$8 million in improvements to the City's Marina and riverfront area. The City of Sioux City cannot proceed with economic plans until the full effects of changes to the management of the Missouri River are known. The pulse and character of Sioux City revolves around the river, boating, and water sports. There are also riverboat gambling operations on the Missouri River that generate \$80 million to Iowa's state taxes—specifically to fund the recently passed Vision Iowa legislation. Iowa State statute compels riverboats that gamble to sail at least 100 days per year and it is unknown how this will affect their ability to comply with state statute and how that potential loss of revenue would affect Iowa's future.

Hydropower Generation.—Under the spring rise plan we would only be able to use approximately 58% of full capacity during the peak energy usage period. All public energy utilities receive a percentage of their energy as hydropower, very inexpensive energy. When there is excess hydropower energy, that power can be marketed to an eager marketplace looking for this lower-cost energy.

When the hydropower supply is lower, as it would be in times of low flow, higher cost energy must be used and that extra cost is passed on to consumers. The effect of decreasing hydroelectric supply in a peak usage period with dramatically increased rates needs further study.

Flood Control.—While spring rise flows will likely not flood Sioux City at current estimates, the effects of high flows from tributaries will need to be studied before either the City of Sioux City or Woodbury County could endorse the spring rise option.

Transportation Costs to Agriculture Industry.—The farm economy is extremely weak, experiencing low prices, increased interest rates than previous years, and high fuel prices. The agriculture industry will take another hit if they lose the ability to haul and store grain and fertilizer, especially at peak harvest periods. The busiest time for agriculture shipments is the exact time that the low flow period in a split navigation scenario would decrease the ability to use the river for transportation and would leave farmers with fewer transportation and storage options. Data taken on corn bid prices from November 10, 1999 shows that corn bid prices range from 13-51 cents more per bushel for sites located near a river when compared with those sites that are landlocked and dependent solely on rail and truck transportation. Navigation on the Missouri River assists farmers with an additional avenue to market and transport their commodities at competitive rates.

Industrial Commodities.—It has been proven that there is an economic advantage in industry to have access to both rail and barge transportation. Rail companies charge less, irrespective of distances traveled, if either the initial or final location is near a barge facility, due to the desire to remain competitive with barge rates. These water-compelled rates enable our companies to remain competitive with comparatively much larger operations. These companies would see 50% increase in transportation costs without access to barge transportation and would be ultimately passed on to consumers.

Degradation Through High Rises.—The impact on riverbed degradation must be determined before the artificially high flows are implemented as already serious degradation problems will only get worse with the spring rise approach. The high-rise period in 1969-1972 degraded the riverbed by four feet and high rises in 1993-1996 degraded the riverbed by an additional two feet. Further degradation will threaten the under-river utility crossing, continue the current loss of wetland and oxbow lake areas due to drainage into the river, will eventually threaten bank stabilization structures, piers, and abutments, as well as increase the maintenance cost for marinas and boat ramp basins. The City of Sioux City's collector well and possibly two of the radials of that well would be impacted if additional significant erosion or degradation were to occur.

Sincerely,

MARTIN J. DOUGHERTY,  
Mayor.

CRAIG S. BERENSTEIN,  
Council Member.

TODD A. MOSS,  
Mayor Pro-Tem.

TONY DRAKE,  
Council Member.

THOMAS R. PADGETT,  
Council Member.

Mr. PACKARD. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. HULSHOF).

(Mr. HULSHOF asked and was given permission to revise and extend his remarks.)

Mr. HULSHOF. I thank the gentleman for yielding me this time.

Mr. Speaker, I urge this body to override the President's veto. I am fortunate enough to represent 216 miles of river which includes the Mississippi but 86 miles of the Missouri River that forms the boundary in my district.

I would ask, Mr. Speaker, that Members of this body really would give some deference to this bipartisan coalition of Members in Missouri that do not support the Fish and Wildlife's position, that would urge an override of the President's veto, that is, this proposed spring rise. The section at issue is section 103 that simply says that none of the funds available in this energy and water bill would be available to revise the master manual to provide for an increase in the springtime water release during heavy spring rainfall and snow melt in States that have rivers that drain into the Missouri. As the chairman pointed out, this has been in the previous four out of the five spending bills that Congress has passed, the President has signed. It allows a range of different options but only prevents one specific harmful alternative and that is a controlled flood.

I hope those that support the President's veto do not try to create this false choice between picking between the environment and picking between commerce. Clearly, commerce is affected. As the gentleman from Iowa mentioned before, navigation is extremely important. This affects the lower Mississippi River Valley as well. In fact, if this split navigation season had been in effect a year ago, it would have meant three feet of draft water difference in Memphis, Tennessee, which really does affect navigation along the lower Mississippi. But even on the environmental point of view, we have scientists in our State, our Missouri Department of Natural Resources, that opposes a spring rise. They say they are convinced that off-channel and nonflow-related mitigation and restoration efforts are the best ways to enhance habitat. They say that the Missouri River already has a natural spring rise hydrograph, yet we have not seen how certain species are flourishing and so they look at other options.

Mr. Speaker, we can be environmentally friendly and still support this veto override. That is why our own State Department of Natural Resources believes that improvement projects can be done with the cooperation of adjacent landowners, that that will provide the best success.

Let me just say that the Missouri River, we are very blessed as it is a natural resource that supports 60 species of mammals, 301 species of birds, 52 species of reptiles or amphibians, 156 species of fish. The President vetoed this bill because of two birds and one fish that are on the endangered species list. I would ask, Mr. Speaker, that we would consider the habitat of the 22,500 homeowners that are located within

the identifiable flood control area, flood plain area.

I urge this body to override the President's veto.

Mr. PACKARD. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota (Mr. THUNE).

Mr. THUNE. I thank the gentleman for yielding me this time.

Mr. Speaker, my State has been trying to revise the master manual for a long time. Unfortunately, this issue has become political and it should not. It has become more about endangered species than it has about people. The State of South Dakota has a lot at stake in this debate. We have a huge recreational industry in our State. In fact, the recreational industry in South Dakota and surrounding States is about \$80 million a year, whereas navigation is about \$7 million a year. The master manual needs to be revised to reflect modern uses. The Corps of Engineers is working with the U.S. Fish and Wildlife Service and with the eight Missouri Basin States in an association, the Missouri River Basin Association, to do just that. There is a schedule in place. The environmental impact statement is due out in June of next year. The final decision is due in 2002.

My point very simply, Mr. Speaker, is that this is an independent process. It is a process that is working to build consensus among the States of the Missouri River Basin. It should not become bogged down and involved in politics and unfortunately it has. I supported the energy and water bill when it left the House because it had water funding that is important to my State of South Dakota and the chairman worked closely with us to secure that. This issue became bogged down and the President vetoed it over an independent provision, a provision which, as I said earlier, has no immediate consequence because the process that is in place to revise the master manual moves forward independent of this rider. It is important in my view that we get a master manual fix, a revision that is reflective of modern uses on the reservoir.

The spring rise/split season approach frankly, Mr. Speaker, is not in the best interests of South Dakota. It hurts hydropower generation. We would lose about \$50 million a year in hydropower generation if that becomes the change. It also hurts, I think, a lot of the downstream areas south of Gavins Point in the area of bank erosion. There are environmental problems associated with this. And what has happened is all these things have become hostage to the piping plover, the least tern, and the pallid sturgeon.

I support those things, Mr. Speaker. We want to make sure that we protect endangered species but not at the expense of people, not at the expense of a process that is moving forward on an independent track and which will address the master manual in a consensus way.

Mr. PACKARD. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. GANSKE).

Mr. GANSKE. Mr. Speaker, I urge Members on both sides of the aisle to vote in a bipartisan way to override the President's veto. The Democratic mayor of Council Bluffs, Iowa stood recently with the Republican mayor of Omaha saying we do not like the idea of controlled floods. We have Republicans and Democrats from South Dakota, Iowa, Nebraska, Missouri. The gentleman from Missouri (Mr. GEPHARDT) is not in favor of the new flood plan.

We should vote to override the President's veto on this, and we should look at a better plan.

Mr. PACKARD. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), a valued member of the subcommittee and also one that has worked on this bill considerably.

1315

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman from California (Mr. PACKARD) for yielding me this time.

Mr. Speaker, I rise in strong support of overriding the President's veto of the 2001 Energy and Water Appropriations bill, and I urge each and every Member who voted in favor of the conference report 2 weeks ago to maintain their support for this legislation today.

The administration appears to show a callousness toward the rural people who will be flooded. This callousness smells of the comments that the gentleman from Rhode Island (Mr. KENNEDY) made earlier this year to the effect that the Democrats were writing off the rural areas, and I am quoting, "to hell with the rural people," unquote, attitude.

Well, the flooding of Missouri and several other States has in several recent years put Missourians and others through a sort of hell. I ask for some compassion and common sense here for these people.

My other concern is about the trustworthiness of the administration. This very provision has been signed in the previous 4 years.

#### PARLIAMENTARY INQUIRY

Mr. VISCLOSKEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman will state his parliamentary inquiry.

Mr. VISCLOSKEY. Mr. Speaker, a certain four-letter word has been mentioned several times here on the House floor, and I am wondering if it is appropriate given the decorum of the House.

The SPEAKER pro tempore. In response to the inquiry of the gentleman from Indiana (Mr. VISCLOSKEY), it is not in order to use profanity during debate, even if uttered and quoted from a printed source.

The gentleman from Michigan (Mr. KNOLLENBERG) is recognized.

Mr. KNOLLENBERG. Mr. Speaker, I accept that.

Mr. Speaker, as I said a few short weeks ago, this is a good bill, and a good conference report. It is balanced and responsible. At a time when energy costs are hitting record levels and when water projects vital to the lives of American citizens are needed, we cannot sit idly by as the President would have us do.

So I would just simply say that this bill is worthy of becoming law, and I believe that we have every reason in the world, as a Congress acting in this fashion, to override this veto because, frankly, it does not speak to the needs of the people. So I would just join in with those who have already spoken on behalf of overriding this veto by the President. I think it is a just bill, and I think it is proper that we do override this veto.

Mr. VISCLOSKY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would simply end my remarks by again asking my colleagues to vote to override the President's veto.

Mr. Speaker, I yield back the balance of my time.

Mr. PACKARD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would simply like to reaffirm the fact that, and I think it is well known in this body, we have tried to write this conference report as a very bipartisan piece of legislation. I have gone as far as I know how to go to really reach out to the other side, and I hope that they will recognize that this is a good bill and, therefore, we need to override the President's veto.

Mr. POMEROY. Mr. Speaker, when the House considered the Energy and Water Appropriations Conference Report nearly two weeks ago, I voiced my strong opposition to the legislative rider that would prevent the Corps of Engineers from moving forward to revise the Missouri River Master Manual. At the time I indicated that I would vote to sustain the President's veto if the conference report came back to the House and I intend to do that today.

Today, the Missouri River is managed by the Corps of Engineers on the basis of a manual that was adopted over 40 years ago. Under the manual, the Corps manages the river by trying to maintain steady water levels through the spring and summer to ensure there is always enough water to support barge traffic downstream. Unfortunately, under this management system, navigation has been emphasized on the Missouri River to the detriment of upstream interests, including recreation, which is much more important now than it was in 1960. The projections on barge traffic used to justify the manual have never materialized and have actually declined since its peak in the late 1970s.

The manual used today does not provide an appropriate balance among the competing interests. The time has come for the management of the Missouri River to reflect the current economic realities of a \$90 million annual recreation impact upstream, versus a \$7 million annual navigation impact downstream. The Corps should not be stopped in their efforts to revise and update the manual and

achieve a balance between all parties who use and rely on the Missouri River.

Mr. PACKARD. Mr. Speaker, I yield back the balance of my time, and I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be determined by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 315, nays 98, not voting 19, as follows:

[Roll No. 523]

YEAS—315

Abercrombie	Dicks	Jones (OH)
Aderholt	Dixon	Kanjorski
Armey	Dooley	Kaptur
Baca	Doolittle	Kasich
Bachus	Doyle	Kelly
Baird	Dreier	Kennedy
Baker	Duncan	Kildee
Ballenger	Dunn	Kilpatrick
Barcia	Edwards	King (NY)
Barr	Ehlers	Kingston
Barrett (NE)	Ehrlich	Knollenberg
Bartlett	Emerson	Kolbe
Bass	English	Kuykendall
Bentsen	Etheridge	LaFalce
Bereuter	Evans	LaHood
Berkley	Everett	Lampson
Berry	Ewing	Lantos
Biggert	Farr	Larson
Bilbray	Fletcher	Latham
Bilirakis	Foley	LaTourette
Bishop	Ford	Leach
Bliley	Fossella	Lee
Blunt	Fowler	Levin
Boehlert	Frelinghuysen	Lewis (CA)
Boehner	Frost	Lewis (KY)
Bonilla	Gallegly	Linder
Bonior	Ganske	Lipinski
Bono	Gekas	LoBiondo
Borski	Gephardt	Lofgren
Boswell	Gilchrest	Lucas (KY)
Boucher	Gillmor	Lucas (OK)
Boyd	Gilman	Maloney (NY)
Brady (PA)	Gonzalez	Manzullo
Brady (TX)	Goode	Martinez
Brown (FL)	Goodlatte	Mascara
Bryant	Goodling	Matsui
Burr	Gordon	McCarthy (NY)
Burton	Goss	McCrery
Buyer	Graham	McGovern
Callahan	Granger	McHugh
Calvert	Green (TX)	McInnis
Camp	Greenwood	McIntyre
Canady	Hall (OH)	McKeon
Cannon	Hall (TX)	Meek (FL)
Capps	Hansen	Menendez
Capuano	Hastings (FL)	Metcalf
Cardin	Hastings (WA)	Mica
Carson	Hayes	Millender-
Chambliss	Hayworth	McDonald
Chenoweth-Hage	Hefley	Miller, Gary
Clay	Herger	Miller, George
Clayton	Hill (IN)	Mink
Clement	Hill (MT)	Moakley
Clyburn	Hilleary	Mollohan
Collins	Hinojosa	Moore
Combest	Hobson	Morella
Condit	Hoeffel	Murtha
Cooksey	Hoekstra	Nethercutt
Costello	Hooley	Ney
Cox	Horn	Northup
Coyne	Houghton	Norwood
Cramer	Hoyer	Nussle
Crane	Hulshof	Oliver
Crowley	Hunter	Ortiz
Cummings	Hutchinson	Ose
Cunningham	Hyde	Oxley
Davis (FL)	Inslee	Packard
Davis (VA)	Isakson	Pascarell
Deal	Istook	Pastor
DeGette	Jackson (IL)	Pease
Delahunt	Jenkins	Pelosi
DeLay	John	Peterson (MN)
Diaz-Balart	Johnson (CT)	Peterson (PA)
Dickey	Jones (NC)	Phelps

Pickering	Shadegg	Thompson (MS)
Pickett	Shaw	Thornberry
Pitts	Sherwood	Thune
Pombo	Shimkus	Thurman
Porter	Shows	Tiahrt
Price (NC)	Simpson	Tierney
Pryce (OH)	Sisisky	Trafficant
Quinn	Skeen	Turner
Radanovich	Skelton	Udall (CO)
Rahall	Smith (MI)	Udall (NM)
Regula	Smith (NJ)	Upton
Reyes	Smith (TX)	Visclosky
Reynolds	Smith (WA)	Vitter
Riley	Snyder	Walden
Rivers	Souder	Walsh
Rodriguez	Spence	Wamp
Roemer	Spratt	Watkins
Rogan	Stabenow	Watts (OK)
Rogers	Stark	Weiner
Rohrabacher	Strickland	Weldon (FL)
Ros-Lehtinen	Stump	Weldon (PA)
Roukema	Stupak	Weller
Salmon	Sweeney	Whitfield
Sanchez	Talent	Wicker
Sandlin	Tanner	Wilson
Sawyer	Tauscher	Wolf
Saxton	Tauzin	Woolsey
Scarborough	Taylor (MS)	Wu
Schakowsky	Taylor (NC)	Young (AK)
Scott	Terry	Young (FL)
Serrano	Thomas	
Sessions	Thompson (CA)	

NAYS—98

Ackerman	Gutknecht	Pallone
Allen	Hilliard	Paul
Andrews	Hinchey	Payne
Baldacci	Holden	Petri
Baldwin	Holt	Pomeroy
Barrett (WI)	Hostettler	Portman
Becerra	Jackson-Lee	Ramstad
Berman	(TX)	Rangel
Blagojevich	Jefferson	Rothman
Blumenauer	Johnson, E. B.	Roybal-Allard
Brown (OH)	Johnson, Sam	Royce
Castle	Kind (WI)	Rush
Chabot	Klecicka	Ryan (WI)
Coburn	Kucinich	Ryun (KS)
Conyers	Largent	Sabo
Cook	Lewis (GA)	Sanders
Cubin	Lowey	Sanford
Davis (IL)	Luther	Sensenbrenner
DeFazio	Maloney (CT)	Shays
DeLauro	Markey	Sherman
DeMint	McCarthy (MO)	Slaughter
Deutch	McDermott	Stearns
Dingell	McKinney	Stenholm
Doggett	McNulty	Sununu
Engel	Meeks (NY)	Tancred
Fattah	Minge	Toomey
Filner	Moran (KS)	Towns
Forbes	Myrick	Velazquez
Frank (MA)	Nadler	Waters
Gejdenson	Napolitano	Watt (NC)
Gibbons	Oberstar	Wexler
Green (WI)	Obey	Weygand
Gutierrez	Owens	Wynn

NOT VOTING—19

Archer	Klink	Neal
Barton	Lazio	Schaffer
Campbell	McCollum	Shuster
Coble	McIntosh	Waxman
Danner	Meehan	Wise
Eshoo	Miller (FL)	
Franks (NJ)	Moran (VA)	

1340

Mr. BERMAN changed his vote from "yea" to "nay."

Messrs. HASTINGS of Florida, DELAHUNT, GONZALEZ, and SCOTT, Mrs. KILPATRICK, Mr. RODRIGUEZ, Mrs. JONES of Ohio, and Ms. CARSON changed their vote from "nay" to "yea."

So, two-thirds having voted in favor thereof, the bill was passed, the objections of the President to the contrary notwithstanding.

The result of the vote was announced as above recorded.

Stated against:

Mr. MORAN of Virginia. Mr. Speaker, on rollcall No. 523, I was unavoidably detained. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The Clerk will notify the Senate of the action of the House.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4461, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 617 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 617

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4461) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Florida (Mr. DIAZ-BALART) is recognized for 1 hour.

Mr. DIAZ-BALART. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MOAKLEY), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for purposes of debate only.

Mr. Speaker, House Resolution 617 is a rule providing for the consideration of the conference report to accompany H.R. 4461, the agriculture appropriations bill for fiscal year 2001.

The rule waives all points of order against the conference report and its consideration. The rule provides that the conference report shall be considered as read.

I am pleased, Mr. Speaker, to support this rule, which provides for the consideration of the conference report to accompany H.R. 4461, the agriculture appropriations bill. I believe the conference report represents a good overall package. It provides important funds desperately needed by America's farmers.

For instance, the bill includes \$3.5 billion in emergency disaster relief funds for farmers. Just last week, I was able to tour severely flooded areas in my district with FEMA Director Witt and saw the extent of the over \$200 million worth of crop losses just in agricultural South Florida due to the heavy rains.

1345

The devastation underscored to me how critically important disaster assistance can be to our farmers. The main bill is a good product from an ag-

ricultural perspective. It provides \$80 billion in mandatory and discretionary spending while setting aside \$5 billion to reduce the public debt.

Mr. Speaker, I am pleased that portions of the Hunger Relief Act are included. As an original cosponsor of that important legislation to help poor families, children and the elderly have adequate access to hunger assistance programs, I believe that the legislation takes an important step in the right direction by including it in the conference report.

Mr. Speaker, I would like to thank several of my colleagues for their tireless efforts in helping negotiate a carefully crafted compromise on the issue of sanctions: the gentleman from New Mexico (Mr. SKEEN), the gentleman from Florida (Chairman YOUNG), the gentlewoman from Missouri (Mrs. EMERSON), the gentleman from Washington (Mr. NETHERCUTT), and the gentleman from Missouri (Mr. BLUNT) worked throughout the process with me, and the gentlewoman from Florida (Ms. ROS-LEHTINEN), my dear friend, to achieve a fair compromise.

Mr. Speaker, I am deeply grateful to the gentleman from Illinois (Speaker HASTERT), the gentleman from Texas (Mr. ARMEY), the majority leader, and the gentleman from Texas (Mr. DELAY), the majority whip, for their support, as well as the Senate majority leader and Senator MACK.

I would also like to take this opportunity to thank some of the staff who contributed to these successful negotiations, especially Scott Palmer, Julianne Carter, Nancy Dorn, Steve Vermillion, Ylem Poblette, and Steve Rademaker.

The compromise authorizes sales of United States agricultural commodities to the Cuban regime; but without American financing, it also makes clear that the President cannot expand travel categories and accompanying revenues to totalitarian Cuba beyond the existing ones.

In other words, the primary objective of the Cuban dictatorship that the United States taxpayers subsidize the regime, in effect taking the place of the former Soviet Union, is not permitted. Nor can the Cuban dictatorship dump its agricultural products on the United States market, to the serious detriment of American farmers. That dumping, by the way, Mr. Speaker, is another fundamental goal of the Cuban regime.

At the same time, the Cuban dictatorship after this legislation will no longer have the excuse with regard to the great food shortages that it has created for the Cuban people while foreign tourists and the regime's hierarchy have access to all the luxuries that dollars can buy. It will no longer have the excuse of a legal inability to purchase American agricultural products.

Mr. Speaker, so while United States farmers look at new markets under this legislation, especially in other

countries dealt with by the agreement, key pressure and leverage are maintained for a democratic transition in Cuba.

The agreement takes note of the floor votes regarding Cuba policy by the House and Senate in the recent past: the votes regarding agricultural sales to Cuba; the differing votes in the House and Senate with regard to travel, the Senate having voted against U.S. unrestricted travel to Communist Cuba, and the strong vote against totally dismantling the U.S. embargo on the Cuban dictatorship by this House on July 20 of this year.

The essential framework of the United States policy toward Cuba that sanctions will be maintained until the political prisoners are freed, labor unions and the press are legalized, and free elections are agreed to, is left in place in this legislation.

Mr. Speaker, we need not even look to the myriad lessons of history, though we certainly could, for proof of the wisdom of that policy. As we speak today, sanctions are being lifted against Yugoslavia, including travel restrictions, because, and only after, the dictatorship there held elections and agreed to recognize the winner of those elections.

Sooner or later, but mark my words, inevitably, freedom will come to the long-suffering island of Cuba as well, and the free men and women of the free and democratic republic of Cuba will wish to do business with those who choose to stand alongside them for freedom and did not collaborate with the totalitarian dictatorship.

I hope the House and Senate will pass this legislation to help our farmers. All eyes will then be on the Clinton-Gore administration. Will the President sign this conference report to help American farmers despite the opposition of the Castro dictatorship? I certainly hope that he does.

Mr. Speaker, I will let the appropriators speak to the other issues included in the conference report, but I do wish to strongly urge my colleagues to support this rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my colleague, the gentleman from Florida (Mr. DIAZ-BALART), for yielding me the customary time.

Mr. Speaker, once upon a time, not too very long ago, this House passed two very forward-thinking amendments. One would have lifted the American embargo on food and medicine going to Cuba. It passed the House by a vote of 301-116. The other would have allowed American citizens to travel to Cuba. Mr. Speaker, that passed the House 232-186.

Mr. Speaker, nobody has heard about them since. I have been to Cuba. I have seen the pain of the Cuban people. I have seen the children in Cuba suffer